



Murphy Group CNY, PLLC

March 7, 2022

Via ECF

Honorable Denise L. Cote
U.S. District Court for the Southern District of New York
500 Pearl Street, Room 1910
New York, NY 10007

Re: Thomas Koestler v. Martin Shkreli, No. 16-cv-7175-DLC

Dear Judge Cote:

I respectfully request permission to file a letter motion under seal as permitted by Your Honor's Individual **Rule 8(B). Sealing/Redactions Requiring Court Approval**. The letter motion contains confidential information regarding the terms of an operating agreement as well as current offers to purchase Phoenixus AG stock.

Respondent recognizes that any redaction or sealing of a court filing must be narrowly tailored to serve whatever purpose justifies the redaction or sealing and must be otherwise consistent with the presumption in favor of public access to judicial documents. See *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). Respondent believes that the detail of Mr. Martin's operating agreement with Phoenixus AG as well as current offers to purchase Phoenixus AG stock meets this standard.

Respectfully submitted,

/s/ Brianne E. Murphy

cc All counsel of record (via ECF)

600 Pennsylvania Ave, SE
Suite 200
Washington, DC 20003

Brianne E. Murphy*
T: (347) 524-1415

E: brianne@industrialaw.com

*Admitted in New York and Washington, DC